



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: November 10, 2011

CBCA 2172

VT HALTER MARINE, INC.,

Appellant,

v.

DEPARTMENT OF COMMERCE,

Respondent.

George D. Ruttinger, Richard W. Arnholt, and Jonathan M. Baker, of Crowell & Moring LLP, Washington, DC, counsel for Appellant.

Mark Langstein, Fred Kopatich, Florence Bridges, and Ashley Powers, Office of General Counsel, Department of Commerce, Washington, DC, counsel for Respondent.

VERGILIO, Board Judge.

ORDER

On October 1, 2010, the Board received from VT Halter Marine, Inc. (contractor) a timely-filed notice of appeal concerning its contract, DG 133E-04-CN-0036, with the Department of Commerce (Government), which the contracting officer terminated for default. The contractor maintains that the termination was improper, factually and legally unfounded, and should be nullified and converted to a termination for the convenience of the Government. On November 9, 2011, the Board received from the parties a request for a dismissal with prejudice, the parties having settled this dispute. The Board grants the request; the appeal is **DISMISSED WITH PREJUDICE**.

JOSEPH A. VERGILIO
Board Judge